

FILED  
Clerk  
District Court

FEB - 8 2006

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA, )

Criminal No. 04-00038

Plaintiff )

v. )

NOTICE REGARDING  
SENTENCING

ERIC JOHN TUDELA MAFNAS )  
and CHARLEY K. PATRIS, )

Defendants )  
\_\_\_\_\_ )

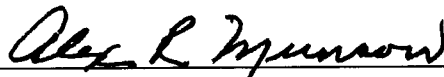
THE COURT has before it defendants' statement that this court lacks jurisdiction to continue with their sentencing because of the interlocutory appeal they have taken.<sup>1</sup> Plaintiff has filed a memorandum asserting that the court retains jurisdiction.

<sup>1</sup>

Defendants have appealed the court's order denying their motion to dismiss the indictment against them as a post-conviction, pre-sentencing remedy for an alleged double jeopardy violation.

1 Because there is no motion properly before the court, and because the court  
2 finds defendants' assertion that the court has been divested of jurisdiction by their  
3 interlocutory appeal unpersuasive under the law and facts of this case, and to avoid  
4 confusion and unnecessary delay, the court reiterates that defendants will be  
5 sentenced on the dates previously set; that is, defendant Mafnas will be sentenced on  
6 February 13, 2006, and defendant Patris will be sentenced on February 17, 2006.  
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9 DATED this 8th day of February, 2006.

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12 ALEX R. MUNSON

13 Judge  
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